

SENATE BILL REPORT

SSB 6331

As Passed Senate, February 16, 2004

Title: An act relating to mandated reporters in boarding homes and nursing homes.

Brief Description: Revising definition of mandated reporters in boarding homes and nursing homes.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Brandland, Parlette and Mulliken).

Brief History:

Committee Activity: Health & Long-Term Care: 1/20/04, 2/4/04 [DPS].

Passed Senate: 2/16/04, 48-0.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6331 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Winsley, Vice Chair; Brandland, Franklin, Keiser, Parlette and Thibaudeau.

Staff: Rhoda Donkin (786-7198)

Background: Under current law, when an incident of abuse, neglect, abandonment or financial exploitation is alleged to have occurred in a long-term care facility, certain individuals are considered "mandate reporters." These people are obliged to report the incident to the Department of Social and Health Services, or in certain cases, directly to law enforcement.

The law has been interpreted to mean that anyone who hears about an alleged incident must also report it, leading to the potential for multiple reports of the same event or incident.

Summary of Bill: A mandated reporter is an employee who observes the incident, or hears the resident state that an incident occurred, or is someone who learns of an incident from another person with direct knowledge of the incident, and is designated to report it.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: When multiple calls are made on a single incident, the facility reports are misleading. Insurers see a higher number of complaints than is fair. Concerns: It is not clear that unnecessary and multiple reports are being made on single incidents.

Testimony Against: Multiple reports on incidents can strengthen cases involving poor facility practices.

Testified: Brendan Williams (pro); Pat Lashway (concerns); Kary Hyre, LTC Ombudsman (con); Hilke Faber, Resident's Council.